

HB 1227 -- WORKERS COMPENSATION

SPONSOR: DeGroot

This bill changes the laws regarding workers' compensation. In its main provisions, the bill changes the definitions of "injury" and "occupational disease," and clarifies when an injury arises out of the course of employment. The bill changes the statute of limitations for an occupational disease to start running when the employee is medically advised of an injury due to exposure.

The bill changes the provisions of law regarding the forfeiture of benefits in specified cases involving the employee's participation in recreational activities. The bill changes the law regarding the consideration of a mental injury resulting from work-related stress arising out of the course of employment.

The bill repeals the provision of law requiring the division to establish procedures for the reactivation of settled claims involving the furnishing of prosthetic devices. The bill repeals a prohibition on subrogation by an employer when a third party is liable to an employee or the dependents of an employee when the employee suffers from an occupational disease due to a work-related toxic exposure.

The bill changes the law so compensation for permanent total disability shall be paid until the employee is 70 years of age. The bill repeals provisions providing for specified permanent total disability benefits for claims of occupational disease due to toxic exposure filed on or after January 1, 2014. The bill changes the definition of a "dependent" who is eligible for benefits if a compensable injury causes the death of an employee.

Currently, an employee may not be discharged or discriminated against by an employer or agent for exercising any rights under Chapter 287, RSMo. The bill changes the law so that the exercising of such rights must be the motivating factor in the discharge or discrimination to be prohibited. The bill further repeals the section creating the "Missouri Mesothelioma Risk Management Fund".